

47TH REGULAR SESSION

CONSTITUTIONAL AMENDMENT—ARTICLE V, § 22-a

H. J. R. No. 24

Proposing an Amendment to Article V of the Constitution of Texas by providing that the Legislature shall have the power, by local or general law, in counties having a population in excess of two hundred thousand (200,000) inhabitants to create other courts having exclusive jurisdiction or concurrent jurisdiction with the county court in civil, criminal or probate matters; fixing the time for an election therefor; prescribing the form of ballot; providing for a proclamation of such election and the advertisement thereof; and making an appropriation therefor.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Article V of the Constitution of the State of Texas be amended by adding thereto a new section to be known as Section 22-a and reading as follows:

"Section 22-a. The Legislature shall have the power, by local or general law (without the necessity of advertising any such local law), in counties having a population in excess of two hundred thousand (200,000) inhabitants according to the then last Federal Census, to create other courts having either exclusive jurisdiction or concurrent jurisdiction with the county court in civil, criminal or probate matters."

Sec. 2. The foregoing Constitutional Amendment shall be submitted to the qualified voters of the State of Texas at a special election to be held on the first Tuesday after the first Monday in November, 1942, at which time all voters favoring such proposed Amendment shall have written or printed on their ballots the following:

"For the Amendment to the Constitution, providing that the Legislature may in certain counties create other courts having either exclusive jurisdiction or concurrent jurisdiction with the county court in civil, criminal or probate matters."

Those voters opposed to such Amendment shall have written or printed on their ballots the following:

"Against the Amendment to the Constitution, providing that the Legislature may in certain counties create other courts having either exclusive jurisdiction or concurrent jurisdiction with the county court in civil, criminal or probate matters."

If it appears from the returns of said election that a majority of the votes cast is in favor of the Amendment, the same shall become part of the Constitution of the State of Texas.

Sec. 3. The Governor of the State is hereby directed to issue the necessary proclamation for said election and to have it published as required by the Constitution and existing laws of this State.

Sec. 4. The sum of Ten Thousand Dollars (\$10,000) or so much thereof as may be necessary is hereby appropriated out of the State Treasury not otherwise appropriated to pay the expenses of said publication and election.

Passed by the House, April 1, 1941: Yeas 122, Nays 1; House refused to concur in Senate amendment, May 13, 1941, and requested appointment of a Conference Committee to consider differences between the two Houses; House adopted the Conference Committee Report May 22, 1941: Yeas 122, Nays 0; passed by the Senate, as amended, April 30, 1941: Yeas 28, Nays 0; at request of House, Senate appointed a Conference Committee and Senate adopted Conference Committee Report, May 29, 1941: Yeas 29, Nays 0.

Approved June 2, 1941. To be voted on at election to be held Nov. 3, 1942.